

## **Appeal to Modification of Service Start Date**

Applicant: Winton School District

BEN: 144435

Service provider: Pacific Bell Telephone Company

Spin #: 143002665

Form 486 Application #:

Form 470 Application #: 932850000649650

Form 471 Application #: 925700

FRN #: 2526735

08/28/2014

This letter is to appeal the service start date of our Opt-E-Man connections for the year 2013-2014. The Opt-E-Man service provides connectivity between our school sites and to the internet. The year 2013-2014 is the 5<sup>th</sup> year of a 5 year contract. I filed our 486 in August 2013 for our Opt-e-man high speed bandwidth. When I filed the 486 for the Opt-E-Man I printed the 486 before I certified online and then after I certified the 486 online I got the certification page but when I went to print the certification page the internet browser crashed and I was unable to print it. Because I was unable to print it I wrote down the certification number. Because I got the certification page with the certification number I was sure that it was filed correctly and certified correctly.

During this time I was having severe medical problems and in the middle of September I became unable to work. Because of illness I was out of work until after the 1<sup>st</sup> of the year, this time included a month in the hospital. Once I was cleared to come back to work it was for modified duty and was only able to work part day through February.

While working part time in February I was told that we were not getting our discounts on our Opt-E-Man billing, so I went through all the paper work and verified that I filed the 486 for the Opt-E-Man even though I knew that I did. When I went through the paper work I could not find the paper where I wrote down the 486 certification number. Because of all the time I missed lots of changes were made, desks moved, papers filed etc.

We are a small school district and we only have about 1800 students, 4 schools and a district office. The Information Technology Services department only has two employees, myself and

one worker under me. There is no one else in our district other than me that knows how to file for Erate, or knows about the time lines associated with the filing of Erate. When the "Urgent Reminder" came in January 2014 I was still out on medical leave.

Once I was sure that something was wrong I call USAC and informed them that we were not getting our Erate discounts they told me to file another form 486 and when that was approved they only funded the Opt-E-Man for the first of the year on and so we lost all the funding from July 1<sup>st</sup> 2013 to December 31<sup>st</sup>.

In the Federal Communications Commission document DA 06-1871 section 7, the FCC states "...we find that good cause exists to waive the deadline for filing the FCC form 486 for Petitioners." And goes on to say "As we recently noted in *Bishop Perry Middle School*, a departure from required filing deadlines may be warranted upon careful review of the Petitioner's case and when doing so will serve the public interest. Generally these applicants claim that staff mistakes or confusion, or circumstances beyond their control resulted in missing the FCC form 486 deadline." The late filing of the 486 was indeed due to my "mistakes and confusion" which can be attributed to my pending illness which were circumstances beyond my control and that of the Winton Unified School Districts.


The denial of the \$38,119.15, to quote the FCC document DA 06-1871, "would inflict an undue hardship" on the school district. I respectfully request that you waive the filing requirement of this 486 in the good of the public interest and that of the Winton Unified School District.

Mike Gllbertson

Information Systems Manager

Winton School District

(209)357-6588

Signed:   
Date: 8-28-14

Date 7/7/2014

Mike Gilbertson  
Winton Elem School District  
PO Box 8  
Winton, CA 95388-0008

FORM # 486 – 1007651

**IMPORTANT NOTICE**

Enclosed you will find correspondence deemed 'un-deliverable' by the U.S. Post Office and returned to SLD's Client Operations Department.

It is important to note that the date of the original decision letter has been modified by SLD's Client Operations Department to accommodate the delivery delay. A new stamped 'Date' has been added to the original letter.

This advisory is especially important if you are considering filing an appeal. Appeals must be filed within 60 days of the date on the Decision Letter, in this case, the new Decision Letter date. In the event that you do submit an appeal it would be advisable to enclose a copy of your Decision Letter and this Decision Letter Re-Mail Advisory Cover Sheet with your appeal correspondence. See the "Appeals Procedure" in the Reference Area of the SLD web site <[www.sl.universalservice.org](http://www.sl.universalservice.org)> for more information on appeal deadlines and how to file your appeal.

Further, be advised that all terms and conditions imposed by the Schools and Libraries Program on applicants or service providers that are dependent on the Decision Letter date (in this situation, the new Decision Letter date) will apply.

If you are an applicant and wish to request a permanent change of contact information to the USAC database, follow the instructions on USAC web site at <http://www.usac.org/sl/applicants/before-youre-done/update-contact-info.aspx>. If you decide to update your contact information in the USAC database, the new information will pre-populate any forms filed online and will be used for any future correspondence related to the program, but will not apply to any forms filed in the past.

If you are a Service Provider and wish to request a permanent change of contact information to the USAC database, please file a new Service Provider Identification Number and Contact Information (FCC Form 498) to update your contact information in USAC records. Follow the instructions on the USAC web site at <http://www.usac.org/sp/about/498/default.aspx>.

Thank you for your cooperation and continued support of the Universal Service Program.

**Schools and Libraries Division**  
**Toll-Free:** (888) 203-8100  
**Fax Toll-Free:** (888) 276-8736



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# USAC

Universal Service Administrative Company

Schools and Libraries Division

**FORM 486 NOTIFICATION LETTER**  
(Funding Year 2013: 07/01/2013 - 06/30/2014)

*Boysen M. Macharia-Greeq*

JUL 07 2014

**Manager, Client Operations**

April 23, 2014

Mike Gilbertson  
WINTON ELEM SCHOOL DISTRICT  
7000 N CENTER ST  
WINTON, CA 95388

**Re: FCC Form 486 Application Number: 1007651**  
**Applicant's FCC Form 486 Identifier: 4861314BB**

This letter is to notify you that the Universal Service Administrative Company (USAC) has received and accepted an FCC Form 486, Receipt of Service Confirmation Form, from you. This notification is to confirm the information that you provided. This information is being shared with the service provider whose Service Provider Identification Number (SPIN) you identified on each Funding Request Number (FRN).

You may be receiving this letter to revise or correct a previous Form 486 Notification Letter. The information contained in this letter supersedes any previous notification you may have received, including, but not limited to, a previously adjusted Service Start Date or previously reduced funding commitment.

An explanation of the data provided in our letter reports is in the Guide to USAC Letter Reports posted in the Reference Area of our website. Complete program information, including invoice deadlines, is also posted on our website. You may also contact our Client Service Bureau toll-free by phone at 1-888-203-8100, by email using the Submit a Question link on our website, or toll-free by fax at 1-888-276-8736.

**NEXT STEPS**

Discuss with your service provider whether you would like discounts on your bills or to pay your bills in full and be reimbursed for discounts.

Applicants invoice USAC before the invoice deadline using the applicant invoice [FCC Form 472, Billed Entity Applicant Reimbursement (BEAR) Form] for reimbursements of discounts after paying the service provider bills in full. Service providers invoice USAC using the service provider invoice [FCC Form 474, Service Provider Invoice (SPI) Form] after billing applicants for their non-discount portion. Whichever method you choose, you must pay your non-discount portion, as stated in program rules. Program rules also require that participants maintain all documentation for at least five years after delivery of discount service.

**TO APPEAL THE SERVICE START DATE/FUNDING COMMITMENT CHANGE DECISION**

You have the option of filing an appeal with USAC or directly with the Federal

Communications Commission (FCC).

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
  - appellant name,
  - applicant or service provider name, if different than appellant,
  - applicant BEN and service provider SPIN,
  - FCC Form 486 Number 1007651 and ERN(s) as assigned by USAC,
  - "Form 486 Notification Letter for Funding Year 2013", AND
  - the exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by the USAC's decision.
5. Provide an authorized signature on your letter of appeal.

We strongly recommend that you use one of the electronic filing options. To submit your appeal to USAC by email, email your appeal to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org) or submit your appeal using the Submit a Question feature on the USAC website. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
30 Lanidex Plaza West  
PO Box 685  
Parsippany, NJ 07054-0685

For more information on submitting an appeal to USAC, please see Appeals in the Schools and Libraries section of the USAC website.

If you wish to appeal a decision in this letter to the FCC, you should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in Appeals posted on our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division  
Universal Service Administrative Company

FORM 486 NOTIFICATION LETTER REPORT  
(Funding Year 2013)

Funding Request Number: 2526735  
Form 471 Application Number: 925700  
Service Provider Name: Pacific Bell Telephone Company  
Service Provider Identification Number: 143002665  
Billing Account Number: 209-357-6175  
Service Start Date: 12/11/2013\*  
Service Start Date Change Explanation: 120-DAY 486 DEADLINE  
Adjusted Funding Commitment: \$45,743.40





# USAC

Universal Service Administrative Company  
Schools and Libraries Division  
Correspondence Unit  
30 Lanidex Plaza West  
PO Box 685  
Parsippany, NJ 07054-0685



## TIME SENSITIVE MATERIAL

00129  
Mike Gilbertson  
WINTON ELEM SCHOOL DISTRICT  
7000 N CENTER ST  
WINTON, CA 95388